

From: Jean Orvis [mailto:jorvis@seattleacademy.org]
Sent: Monday, September 08, 2008 4:25 PM
To: Bernard, Nancy (DOH)
Cc: jmorrison@wfs.org
Subject: Proposed new DOH rules

Dear Ms. Bernard,

I will be unable to attend the hearing in Olympia on Wednesday regarding the proposed changes in Chapter 246-366A WAC. Our facilities manager, Loyal Hanrahan, will attend in my stead. Attached please find a letter that expresses my views on these proposed changes.

Thank you for your attention,

Jean Orvis

*Jean Orvis, Director
Seattle Academy
1201 East Union Street
Seattle, WA 98122
(206) 323-6600
jorvis@seattleacademy.org*

September 8, 2008

Dear Ms. Bernard,

As the Director of Seattle Academy, a small college-preparatory independent school serving 590 students in grades 6-12, I am writing you again today to express my concerns about the proposed changes in Chapter 246-366A WAC.

First of all, I do wish to express my appreciation to the DOH for listening to the concerns expressed by schools regarding the earlier draft of the document and for some of the changes made to lighten the onerous nature of the implementation of these new rules. That said, I continue to have serious concerns.

Government officials, policy makers, educators, and leaders in every field of endeavor all face a similar dilemma: how does one avoid jumping on proposals that “look good” and “sound good” and yet run the risk of serious future ramifications? Health and safety issues are, indeed, the equivalent of motherhood and apple pie. How can one successfully challenge *any* effort to improve the health and safety of our children and not sound like Attila The Hun? Yet, as in all things, I believe that improvements that “look good” and “sound good” must be carefully examined to avoid unintended consequences.

I believe that the first unintended consequence of these rules will be a shift in school resources from program and instruction to compliance and inspection. Has any study been completed that scientifically assesses the probability for potential harm to students if these expensive rules are *not* enacted? If one assumes that the average student spends approximately seven hours per day, five days per week, ten months per year, and an average of seven years in a given school, and that the average lifespan is 75 years, then a student will spend approximately 1% of his or her lifetime in that school. However, assuming that same child pursues an education through four years of college, the seven years in that building represent nearly 44% of that child’s education.

In his recent book, The Global Achievement Gap: Why Even Our Best Schools Don’t Teach the New Survival Skills Our Children Need—and What We Can Do About It, Professor Tony Wagner of the Harvard Graduate School of Education argues that while the conventional view remains true that we have an achievement gap between the education middle class children receive compared to that provided to poor and minority children, a more pernicious gap exists between what even our best suburban, urban, and rural schools are teaching and testing, compared to what all students will need to succeed as learners, workers, and citizens in today’s global economy. If we are truly committed to the long- term well being of our children, then we must think very carefully about where every dollar of educational money is spent. Thousands of dollars expended in start-up costs and on annual ongoing operation and maintenance costs are thousands of dollars diverted from program, instruction, and faculty development. The millions of dollars spent in increased construction costs are millions of dollars that are not spent on state-of-the-art science laboratories or technology upgrades.

The "Preliminary Small Business Economic Impact Statement" clearly states that these rules will have a disproportionate impact on small schools. Small private/independent schools serve an increasing percentage of the state's population (about 30% of school-age children in Seattle alone), and in doing so serve the public good by educating students not well served in the public schools.

The "Preliminary Small Business Impact Statement" suggests that as "small businesses," private schools can just raise tuition. Of course, it is easy to raise tuition if you are not the one going to the board or to the parent body; and every up-tick in tuition will force some parent to forgo the education, and if enough do, the school must cut programs and/or faculty and/or go out of business.

While the study addresses the impact on small private schools, it appears that the financial impact on public schools is ignored. In a recent interview, Joel Trachtenberg, President Emeritus of George Washington University, was directly asked about the steps schools must take to prepare our children for college and life in a global economy. He commented that there are many fine public and private schools in this country that are doing a world class job of educating students, but he noted that the vast majority of schools in this nation are woefully under-funded because public education is tied to the tax base. He stated that with an ageing population, it is less likely rather than more likely that new taxes for schools will be enacted. With an ageing population, a declining economy, and ever-increasing demands for each tax dollar, how does one justify to tax payers the diversion of significant funds from direct instruction to increased regulatory requirements, particularly if substantive evidence is lacking regarding the efficacy of those requirements and if enactment of these rules negatively impacts our primary mission, namely educating our students for an increasingly complex world?

I suggest that the DOH further study the necessity of these rules, the inherent trade-offs, and their potential impact on the *overall* welfare of our children. If it is then deemed necessary to implement these rules for the overall health and well being of kids, I suggest that a much stronger case must be made to those who will be forced to pay higher tuitions and to taxpayers who will be asked to fund these changes.

Sincerely,

Jean Orvis
Director
Seattle Academy of Arts and Sciences